

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEBRASKA

ACS STATE HEALTHCARE, LLC, a )  
Delaware Limited Liability )  
Company, )  
Plaintiff, ) 4:08CV3021  
v. )  
DAVID HEINEMAN, in his official ) ORDER  
capacity as GOVERNOR OF THE )  
STATE OF NEBRASKA; JON BRUNING, )  
in his official capacity as )  
ATTORNEY GENERAL OF THE STATE )  
OF NEBRASKA; CARLOS CASTILLO, )  
in his official capacity as )  
DIRECTOR, DEPARTMENT OF )  
ADMINISTRATIVE SERVICES; )  
CHRISTINE PETERSON, CEO OF THE )  
DEPARTMENT OF HEALTH & HUMAN )  
SERVICES; and STEVE SULEK, in )  
his official capacity as ACTING )  
MATERIAL DIVISION ADMINISTRATOR, )  
Defendants, )  
FOURTHOUGHT GROUP, INC., )  
Defendant-Intervenor. )

This matter is before the Court on plaintiff's motion for leave to amend amended complaint (Filing No. 91). This is the second amended complaint plaintiff seeks to file. Plaintiff's motion advises the Court that the State defendants and the defendant-intervenor oppose said motion. However, no such objections were filed. Fed.R.Civ.P. 15(a)(2) requires that leave of court is required but further states: "The Court should freely give leave when justice so requires."

This case is in its early stages, and there is no good reason to deny plaintiff's motion. Accordingly,

IT IS ORDERED that plaintiff's motion is granted; plaintiff shall have until April 10, 2008, to file its amended complaint; defendants and defendant-intervenor shall have until April 25, 2008, to answer or otherwise respond to plaintiff's second amended complaint.

DATED this 1st day of April, 2008.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court